

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, APRIL 19, 2004

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, April 19, 2004, at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken, Councilors Ballew, Lundberg, Fitch, Ralston and Woodrow. Also present were City Manager Mike Kelly, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR FITCH, WITH A SECOND BY COUNCILOR BALLEW, TO ADOPT THE CONSENT CALENDAR. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

1. Claims

- a. Approval of the March 2004 Disbursements for Approval.

2. Minutes

- a. April 5, 2004 – Work Session
- b. April 5, 2004 – Regular Meeting
- c. April 12, 2004 – Work Session

3. Resolutions

- a. RESOLUTION NO. 04-13 – A RESOLUTION TO ACCEPT PROJECT P20326 FROM EUGENE SAND AND GRAVEL IN THE AMOUNT OF \$668,492.51.

4. Ordinances

- a. ORDINANCE NO. 6084 – AN ORDINANCE VACATING APPROXIMATELY 203 LINEAR FEET AT 30 FEET WIDE OF A DEDICATED PUBLIC ROAD RIGHT-OF-WAY KNOWN AS LAURA STREET, FROM ITS TERMINUS AT THE INTERSECTION OF HARLOW ROAD/HAYDEN BRIDGE WAY AND SOUTH APPROXIMATELY 203 FEET ALONG LAURA STREET.

5. Other Routine Matters

- a. Approval to Award a Contract to Otis Elevator Company in the Amount of \$39,718 for the Repair of two City Hall Elevators.
- b. Approval for the Purchase of a Tractor and Accessories from John Deere Company in the Amount of \$26,692.25.
- c. Approval for the Purchase of Geographic Positioning System (GPS) Survey Equipment and Software from Portland Precision Instruments (Topcon Equipment) for a Total Cost of \$50,000.
- d. Authorize the City Manager to Execute the Contract to Braun Northwest, Inc. in the Amount of \$145,575 for Delivery of one 2004 Freightliner/Northstar Ambulance.

PUBLIC HEARINGS

1. Fiscal Year 2004-2005 Community Development Block Grant and HOME Investment Partnership Recommended Funding Allocations.

Housing Program Specialist Kevin Ko presented the staff report on this item. The Springfield Community Development Advisory Committee (CDAC) has reviewed proposals and prepared CDBG and HOME funding recommendations for the FY2004-2005 program year. The recommendations are being forwarded to the City Council for consideration and approval. The CDAC's funding recommendations are consistent with Springfield's local funding priorities and identified community development needs as documented in the Eugene-Springfield Consolidated Plan.

In FY2004-05 the City of Springfield will have \$799,000 in Community Development Block Grant (CDBG) funds and \$714,000 in HOME Investment Partnership (HOME) funds available to develop viable urban communities. The amount available consists of a FY04 CDBG grant of \$739,000 and an FY04 HOME grant of \$489,000 and approximately \$285,000 of program income and reprogrammed funds from previous years (\$60,000 for CDBG and \$225,000 for HOME). Selected projects and services will provide decent, safe and affordable housing for persons of low-income, a suitable living environment and economic opportunities for persons of low and moderate income. A portion of the CDBG funds have been reserved for eligible downtown revitalization activities. This reservation was made by council action on October 20, 2003 as a way to stimulate redevelopment of the downtown corridor.

The city released a Request for Proposals on January 30, 2004 seeking eligible CDBG and HOME projects. Sixteen project proposals totaling \$1,778,299 were received by the March 12th deadline. At a public hearing held on April 8, 2004, the CDAC heard testimony and discussed each proposal. The CDAC is recommending funding for thirteen of the proposals. The CDAC also recommends funding for city administered housing programs, grant administration and planning, social service programs administered by the Intergovernmental Human Services Commission and operating assistance for area Community Housing Development Organizations (CHDO). The total of the recommended allocations equals the total amount available. The CDAC is also recommending a forward commitment of FY05-06 CDBG/HOME funds for the Downtown Midrise project being proposed by St. Vincent de Paul (SVDP), totaling \$415,325.

The table labeled Attachment 1 in the agenda packet contained details of the CDAC funding recommendations in three categories: CDBG, HOME and Downtown CDBG. The committee's recommendations are being forwarded to the City Council for review and approval. Council may modify the committee's recommendations to best address community needs.

Mayor Leiken opened the public hearing.

1. Alethalou T. Harman, 145 Pioneer Parkway East, Springfield, OR. Ms. Harman represented Alethalou's Mercantile. She submitted a grant for CDBG funds that she would like council to consider. She owns a small business and has been in Springfield for six years. Her application for grant money is for funds to put up a pedestrian protection device (awning) in front of her store to make it more pedestrian friendly and to mirror some of the developments in the downtown area. She has thirty different people that sell items from her store. She discussed the difficulties in having a business in her location with the mural on the side of the building. She said having the pedestrian protection device would be essential to keeping her business.
2. Molly Morris, 240 Main Street, Springfield, OR. Ms. Morris represented McKenzie Mist Artesian Water Company. Ms. Morris said that McKenzie Mist Pure Artesian Water Company started business nine years ago. Six years ago their water won an international taste test competition, putting the company and the product in the world spotlight. Three years ago the distribution location was opened in downtown Springfield looking for more visibility. Today with an ever increasing customer base visiting their store from all over the state, they are looking to improve the appearance and efficiency of their operation in order to support their business. Currently they are the only water store in Lane County, a distinction they would like to build upon. She referred to a map outlining the improvements they want to make to their business. The business is growing, but the cost of doing business has grown at a rate hard to keep up with. The good news is that at this time the city has the opportunity to forge partnerships with private sector businesses in the downtown area to eliminate slum and blight. Historically this funding has been granted to non-profit groups, but taking this opportunity to build a private/public partnership with a growing business in the heart of downtown Springfield would be a logical and bold statement about the city's intent to encourage and support the backbone of the American economy, small family business. The property owner, Mr. Smeed, the business, McKenzie Mist, and the City of Springfield have a golden opportunity to build a bridge over the visual gulf of this visible area. Together they can meet the goals of eliminating downtown slum and blight. She said they are willing to leverage the funding the city would provide with \$24,000 of their own to show the city they are serious about growing their business and doing so in the heart of downtown Springfield.

Discussion was held regarding the cross streets, location of this business and the proposed entrance to the business.

3. Ralph Smeed, 176 West C Street, Springfield, OR. Mr. Smeed is a property owner and owns the building where McKenzie Mist is located. This building was built in 1965 for the O.K. Tire Store, which he ran until he retired in 1987. For retirement income, he leased the building to another tire store for another ten years. He served on a downtown committee which encouraged businesses other than automotive on Main Street so he looked for a more compatible business to locate in the building. He met Ms. Morris and agreed to rent the building to her for McKenzie Mist, with concessions on the rent. McKenzie Mist is a visible bottled water company with tremendous potential for employment and retail growth for the Springfield area. The building needs to be upgraded to make the business more visible. It would also help to restore the downtown area as a more attractive place to do business. A partnership between the City of Springfield, McKenzie Mist and himself makes sense. By enhancing the entrance of the building and setting aside a public space to improve this part of

downtown and make Springfield the water capital of Oregon. The money available to Ms. Morris is less than needed, but Ms. Morris and Mr. Smeed would bridge the gap with \$24,000 to complete the project.

4. Sandy Halonen, 775 Monroe Street, Eugene, OR. Ms. Halonen represented NEDCO. Ms. Halonen said NEDCO has two projects before council that were both recommended by the CDAC committee. She thanked the city for their past support and she distributed photos of five homes that were completed with last year's funds. The photos also included a photo of a home they completed a rehab on located on G Street. The first project is both a neighborhood revitalization and homeownership. A year ago NEDCO purchased a double lot on South 43rd Street that had a condemned home located on it. This home had been an eyesore in a neighborhood that was struggling to improve. In the last year, they have met with the neighbors, cleaned up the site, removed the home, garbage and furniture and appliances. They are ready to begin construction of two three-bedroom, one and a half, single story homes and are working with two Springfield families who would be ready to move into these lease/purchase homes in December. Their proposal is for a combination of grant and loan funding. The grant enables the family to get a lower mortgage loan and the loan enables NEDCO to take out a smaller loan during the lease period so the lease payment to the family is about \$165 less than it would be without the loan. Springfield has supported this strategy for past projects and it has worked well. This project is good for the neighborhood and for the families.

Ms. Halonen said she was also before council to discuss the Mercado Latino project. She distributed an aerial photo and drawing for this project. Construction is planned for a 30,000 square foot, two-story new building in downtown Springfield next year for a Latin American marketplace, called the Mercado Latino Commercial Center, which would include at least thirty businesses. Tonight's proposal is for the preliminary work, site selection, drawings, community work and to put an option on one or two properties. This would allow them to begin acquisition of property in 2005, construction in 2005 or 2006 and grand opening in 2007. They would be able to leverage significant funds once they demonstrate a financial commitment from the City of Springfield. They have narrowed their search to three potential sites in downtown. The project is both downtown revitalization and job creation. The purpose of Mercado Latino is to provide an environment where all businesses thrive. They need to attract a broad range of customers ranging from people who live and work downtown to those who come to the Mercado Latino from outside the area because of the vibrant ambiance and authentic products. She discussed the summer outdoor project in Eugene and the difference between that project and the Mercado Latino. Some businesses would be established and choose this location and others would come from outside area. This would help transform downtown bringing in many people of all ages and cultures.

5. Steve Manela, 1640 G Street, Springfield, OR. Mr. Manela spoke on behalf of the Community Health Centers of Lane County. He thanked the City Council for their support in establishing a Community Health Center in Springfield. The doors were opened on March 1, 2004 and they anticipate serving close to 5000 low-income, underinsured, and uninsured patients during the year. He said they anticipate creating 27 jobs immediately from the hiring of the medical staff and overall create approximately 53 jobs for the local community. He thanked council for their consideration. Although they were not recommended for funding by the Community Development Advisory Committee (CDAC), they had asked for \$10,000 for capital improvements for the facility and would like to be considered if funds become available during the course of the year.

6. Hanalei Rozen, 1551 B Street, Springfield, OR. Ms. Rozen was attending as the Grounds Improvement Coordinator for Brattain Elementary. Brattain is the oldest school in the Springfield School District and has a history with many community members. She discussed the project that is in progress for the school grounds and the good start the project has with the help of CDBG money from last year. She said they are planning a walk-a-thon to raise more funds and she hoped council members could participate in that event. The project is not just a school yard neighborhood park, but Growing Grounds. That means it is not only a place to grow vegetables and flowers, but also a place for growth for all involved in the designing. They have an incredible opportunity with the combined efforts of Willamalane, the Brain Center, McKenzie Willamette Hospital, Springfield School District and others who have joined in on this project. She discussed the Art for a Yard portion of the project and how they are bringing in local artists to assist with that. She discussed a trail leading from downtown to Brattain Elementary where art projects would be permanently and temporarily installed. The seed money from CDBG would help with the Artist in Residence program next year to do applied art for the eightieth birthday of the school at the end of next year.
7. Terry McDonald, 3063 Whitbeck Blvd., Eugene, OR Mr. McDonald is the Executive Director of St. Vincent DePaul Society of Lane County. He distributed a document with the Project Highlights for the Springfield Midrise Development for St. Vincent DePaul Society of Lane County. He was before council to ask for their support for the development of the proposed Springfield Midrise Project in downtown Springfield on the corner of 5th Street and Main Street. The proposed building is a large building and a large statement about what we would like happen in downtown Springfield. It fits in with the vision of changing the character of downtown Springfield into a vibrant commercial and residential area. There are few ways to get such a large project into a downtown core other than combining many different funding streams into it. This particular project takes advantage of many different opportunities to bring funding in besides the city's participation. The most important thing is that it blends both commercial activities and residential, bringing thirty-three residential units to the downtown core along with forty-five hundred square feet of retail or commercial space. This is vitally needed in the downtown core and can serve as an anchor for future growth in the downtown core.
8. Tina Novack, 2162 Loch Drive, Springfield, OR Ms. Novack is the president of GOREAP Ministries in Springfield. She explained how she and her husband had moved here from California and purchased an apartment building. They now own Novack Properties. She discussed the employees they have on staff. Several years ago they were led to the MeadowPark neighborhood. They stepped out in faith and began meeting those needs. They established GOREAP Ministries in 2001. They have made significant relationships within the community. Their proposal is for a child care center that would also serve as a meeting place. The child care center would provide nine jobs to the local community, meet the practical need of quality, affordable child care, and would embrace the social needs of the entire family. Testimonies received by the CDAC show the needs of the MeadowPark neighborhood are being met by the HOPE Center. They are currently looking for an alternative location for the child care center. She said they are mindful of the difficult decision before council. Using government funds to build buildings only does not address the foremost social problem in downtown Springfield which is dysfunctional behavior that is perpetuated generation after generation. She said they are fully staffed with qualified volunteers who are ready to begin this project. She said they are very grateful for the

committee's recommendations for partial funding, but full funding would greatly increase their efforts to obtain funding outside of the CDBG funds.

9. Kevin O'Reiley, 3910 East 17th Ave., Eugene, OR. Mr. Reiley's concern is the discussion of revitalizing downtown Springfield. His background is in urban planning and architecture. He has noticed that to bring downtowns back to life you need people living there as well as retail. Being a resident of Glenwood, he is concerned and would like to see quality development in downtown Springfield. He would like to encourage council to fully fund the St. Vincent De Paul project.
10. Art Paz, 86950 Cedar Flat Road, Springfield, OR Mr. Paz spoke on the slum and blight funding category of the CDBG funding process. He feels the city's newly designated slum and blight area lacks a comprehensive, economic and design action plan analysis. Such an analysis would help the advisory committee recommendations. The federal standards are specific in criteria and definition that defines slum and blight elimination, but if you look at the city's approach, it is an informal notion of desirable downtown projects at best. The city has no structured or prioritized list of urban elements that would encourage the restoration of economic and visual design quality of a vital downtown core area. He discussed the allocation they were reviewing. In addition to the category they were looking at tonight, he suggested they look at the money dedicated for slum and blight mitigation. The funding and the amount and its availability demand a more rigorous definition of the best projects and flexibility in annual funding to encourage vital urban projects in the core area. With respect to the recommendation, St. Vincent DePaul has received \$415,000 from the year 2004 allocation and a forward declaration of an additional \$415,000 from the year 2005. Out of the next year's slum and blight funding, all moneys available are being dedicated to St. Vincent housing/commercial project. He believes the committees' recommendation unnecessarily restrains other creative possibilities for proposals in the slum and blighted category for the year 2005. Because of the merits of the St. Vincent DePaul project, he supports its CDBG, but requests council modifies the CDBG forward commitment and spread it over the next several years. Spreading it over a longer amount of time allows a greater amount of money to be used for innovative projects in the core area instead of eliminating all projects in this coming year.
11. Brian Pratt, 5093 G Street, Springfield, OR Mr. Pratt has been a Springfield resident for fifteen years, volunteered for five years at the Broiler Festival and has volunteered in the community. The MeadowPark Hope House has caught his attention and he testified for that project. MeadowPark needs attention. He discussed the other parks in Springfield that have special features that draw citizens to it, but MeadowPark has only tennis courts and there aren't many tennis rackets in this neighborhood. He feels the Hope House would revive the neighborhood and the people who frequent the neighborhood. It is a situation that fits the park and the neighborhood at the right time.
12. Dottie Chase, 4125 Hilyard, Eugene, OR. Ms. Chase represented the Emerald Arts Center on Fifth and Main Streets in Springfield. She thanked council for their past support and vision in supporting the Emerald Arts Center. She said they are almost done with the center. The art center is one of the largest this side of Seattle, Portland, and Roseburg. They are doing a lot of outreach programs and trying to accommodate those areas the schools have no longer been able to fund. One thing they would like to do is to support their endeavor. They need one more grant to finish the upstairs of the building. This would help support the facility and the programs they have started. They have many plans for the future and are working very hard.

Finishing touches need to be made. She said this would be the first project finished under council's revitalization plan.

13. Steve Hill, 2942 Wingate Street, Eugene, OR. Mr. Hill is one of the many volunteers who make up the Emerald Art Association. He thanked council for their past support. It is good to be at this point where they are nearly finished and could become a self sustaining organization. This restoration is a truly amazing accomplishment by a handful of volunteers who generated the funding for this project. Restoring a building of this age revealed a number of surprises. This additional funding is to take care of the final restoration. This building is a beautiful tribute to council's support of renovating the downtown Springfield area.
14. Roxie Cuellar, 739 S. 70th Street, Springfield, OR. Ms. Cuellar referred to a letter that was distributed to council. Ms. Cuellar is a member of the CDBG advisory committee. She wanted to express a concern she had which caused her to cast a dissenting vote. Because of the size of the St. Vincent DePaul project, money was tighter this year than the last six years since she has been on the committee. In the past, the committee has brought some parts of projects forward, but it has been relatively small amounts in comparison to the amount recommended for the St. Vincent DePaul project. She heard a recommendation from Art Paz that the committee fund St. Vincent DePaul over two or three years. The way to approach this is to go forward with the entire amount this year and let projects that may not get funded this year come back next year and compete with other projects when there is more money available.

Mayor Leiken closed the public hearing.

Mayor Leiken thanked those who came to testify this evening and for their enthusiasm. There is a lot of energy from people wanting to revitalize our downtown. He commended those who are also willing to contribute their own funding to partner in bringing about these improvements.

Councilor Woodrow thanked Mr. Ko and the committee for their work. He said the total project cost for the GOREAP Ministries is about \$500,000 and the grant request is for \$100,000. He asked if there was already other money committed for that project.

Mr. Ko said he did not know of other funding, but deferred this question to Ms. Novack.

Ms. Novack said Dukes and Dukes Construction is providing all the labor which would be about \$200,000. Since the committee meeting, they have also received \$15,000 in cash donations and are applying for further grants.

Councilor Woodrow asked if Shirk Property Management received funds last year.

Mr. Ko said they did. They are a private property management company and received \$125,000 last year.

Councilor Woodrow asked if the street improvements from I Street to Kelly Street were brought forth by the city or the neighborhood.

Mr. Ko said that was initiated by the city. It was a project the city kept active and out of the moratorium about street projects because it had been initiated by council previously.

Councilor Lundberg said she serves on the CDAC committee. She thanked everyone who submitted proposals because it is a long process. There were a lot of projects brought before the committee and not a lot of money to go around. She asked what the HOPE project would mean in terms of what they currently provide. There is a site now that serves meals that would be displaced with the child care center. She asked if some of what the HOPE project does now would no longer be offered.

Ms. Novack said that was correct. She has contacted Catholic Community Services and Salvation Army and is working with them to make sure the services are still met. They are aware of this issue and are working to ensure the loss of service does not occur.

Councilor Lundberg agreed with Ms. Cuellar that we have made a forward commitment. She did not vote for the GOREAP project because of the high cost per child.

Ms. Novack said the state has a sliding scale. They would accept state payment and the citizen would be put on the sliding scale according to their financial situation. This center would be a certified state provider.

Councilor Lundberg said it was a difficult decision and looked to other members of the council to decide what should be done. She said future funds were committed, but questioned whether or not that could be done. The final decision is council's.

Councilor Ralston asked Mr. Paz about the \$170,000 forward amount and where that money was coming from.

Mr. Paz said it was apparently coming from the money the city could distribute next year. Mr. Paz said the slum and blight portion of that funding was \$170,000. All of that would be dedicated to St. Vincent DePaul.

Mr. Ko said that amount was based on what was requested. He referred to the chart on page one of Attachment 1 in the agenda packet. St. Vincent DePaul request \$170,000 of the downtown redevelopment money and were allocated zero for this year. Based on those proportions, the committee assumed they would be coming forward for that \$170,000 next year. Staff would be working with St. Vincent DePaul if they are funded this year to determine the best strategy for funding next year if the council decides to make a forward commitment.

Councilor Ralston said he was not willing to commit the future funds because other worthwhile projects could come along next year that he would like to support.

Councilor Fitch asked if the Shirk Property Management were low-income or have rent restrictions.

Mr. Ko said they are low-income. The HOME Program requires the rents be restricted to low and very low-income residents.

Councilor Ballew asked if the intent was to combine finances for the St. Vincent DePaul projects.

Mr. Ko said the committee is recommending half of what they are requesting. St. Vincent DePaul requested \$830,000 and the committee is recommending an allocation of \$415,000 with

\$415,000 coming in through next year's allocation. The amount is split into three different categories.

Councilor Lundberg said there was a lot of support from the committee for the St. Vincent project. After deciding on that one major project, the committee had to determine what else could be funded with the remaining funds. Councilor Lundberg still had many reservations about the GOREAP project. She did support the Shirk Property Management project, although not strongly. She would be comfortable to maintain that decision and set that money aside for a new proposal next year. That would be her first choice. She said her understanding is that the city could only commit money for this year.

Mr. Leahy said council could make a commitment subject upon availability of CDBG funds for a certain project. The council is essentially the same council that would be here next year, with the exception of Ward 6, which is currently vacant. The issue becomes how long and iron clad of a commitment. Next year is not beyond the realm, but it would not be ironclad because it would be based on the availability of appropriate funding at that time.

Councilor Ralston said he would not support the GOREAP funds. The Community Health Center has been a great benefit to the community and he would prefer putting \$10,000 toward that project rather than the GOREAP project.

Mayor Leiken said the city looks at revitalization when looking at different projects or opportunities. It is refreshing to see that more than ever public funds that are directed to certain areas are being leveraged with the property owners' own money to make these things happen. More opportunities will occur allowing the private sector to get involved. Large developers are waiting to see what government will do to encourage this type of redevelopment and revitalization. They are waiting to see a commitment from the public sector. It is important to look at an opportunity such as the St. Vincent De Paul project. If council agrees to move forward on this project, other developers will take notice of the city's commitment. The overall enthusiasm from the audience tonight shows that commitment is starting to gain. He doesn't want to piecemeal, but would like to develop a catalyst. The city has an opportunity to build that catalyst. It would still take time, but it is up to council to plant seeds.

Councilor Ballew said it is a lot of money to St. Vincent DePaul, but would make a tremendous difference in downtown. The GOREAP is worthwhile, but if they are still looking for additional funding, they may not be as ready to go as St. Vincent DePaul. She would support moving that money to St. Vincent DePaul to speed up that project and asking GOREAP to reapply next year. Every project on the list is worthwhile and people are doing good things in the community. She would accept the remainder of the recommendations by the committee.

Councilor Fitch agreed. Some other projects came in with private funding and commitments. She discussed the progress of the Emerald Arts Center. She knows the MeadowPark area needs help, but her concern is that council needs to see a defined plan to make that occur. She also questioned the Shirk Property Management because redeveloping often brings additional issues. That would be a long-term project and they would be returning to request funding. She suggested taking \$50,000 from the Shirk Property Management project and moving it to the St. Vincent DePaul project. This would allow them to do some things this year and come back in future years for additional funding.

Councilor Lundberg agreed with moving the \$50,000 from Shirk to St. Vincent. A lot has been funded. She complimented the accomplishment of the Arts Center and the showpiece it has become in showing what great things can happen over a period of time. She would be more comfortable with the GOREAP Project if she knew the services people would receive were identified and would not be dissipated. She said the committee has done a good job of funding a number of projects. She agreed with Councilor Ballew regarding moving funding to allow the bigger project to get underway. She agreed with both recommendations.

Councilor Ralston wanted to know the discussion around not funding the Community Health Clinic.

Councilor Lundberg said no one appeared to testify on that project at the CDAC meeting.

Councilor Fitch said perhaps with the funding for the Human Services Commission (HSC), the clinic may ask for funding from that source.

Mr. Ko said the funds the committee recommended be allocated to the Human Services Commission are for human services only and cannot be used for construction.

Councilor Ralston agreed with Councilor Ballew regarding moving money to the St. Vincent, but he still felt strongly about giving money to the Community Health Clinic.

Councilor Ballew said when the clinic was proposed, she asked if it would cost the city anything and was told it would not. It is a county facility.

Councilor Fitch said the changes to be made include moving \$50,000 from the Shirk/APS Property Management LLC CDAC amount. That \$50,000 would go to St. Vincent DePaul and increase their funding to \$352,650. An additional \$73,435 would be taken from GOREAP Ministries and added to St. Vincent DePaul. She noted that council would like to see GOREAP come back next year. She said they cannot commit future councils to forwarded amounts. If all council members were still active next year, it would be their intent to finish the funding.

Mr. Ko confirmed that the change to St. Vincent DePaul in the CDBG Requested would be increased to \$186,110. The change to the Shirk's is \$50,000 and the change to the St. Vincent HOME is \$352,650. The change to GOREAP was to zero.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT THE FY 2004-2005 FUNDING ALLOCATIONS AS AMENDED BY COUNCIL. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

BUSINESS FROM THE AUDIENCE

1. Curtiss Greer, 357 55th Street, Springfield, OR. Mr. Greer said as long as we follow the Constitution and Bill of Rights, there are few if any problems. Only when we try to circumvent these documents do we have trouble. He said we do have that situation here now. The city statute that gives one person's pet freedom takes away from another is in violation of the Fourteenth Amendment of the Constitution. He read from the law, concluding there is equal protection of the law. The statute that states felis catus may roam free is the violation that needs to be revisited. All domestic animals are not native to this city. He noted a ruling in Austin, Texas by district judges that "citation, fine or other arrest if pets relieve themselves

on courthouse lawns”. He said we need to do something in Springfield. Everyone knows it is a problem, but no one wants to address it. Something should be put in place that all pet owners should have to be responsible.

2. Dennis Shine, 2923 Game Farm Road, Springfield, OR Mr. Shine said he was before council on behalf of the Friends of the Springfield Public Library. This week is Volunteer Week and he commended council for their volunteer work. It is also Library Week. He was taken aback by comments in the local paper from councilors regarding the Springfield Library. The newspaper quoted Councilor Ralston as saying “Not everyone uses the library”. Mr. Shine said he has been here eleven years and has not used the fire department, but he is not opposed to funding the fire department because he wants it ready if he should ever need it. The other comment he noted was the comment regarding putting out collection boxes to help fund the library. He said the Friends of the Library have put out collection boxes for books. He discussed the many volunteers who assist in the library. Funds have been cut for the people who reshel the books. That task is now 100 percent done by volunteers. He noted the other services performed by volunteers in our library. He referred to the article in the Register Guard which highlighted the many volunteers of the library. He said many people who attend the library are those with children who attend the storytime sessions and other children’s programs. He would like council to rethink the value of the library and visit the library. Mr. Shine referred to bookmarks that were distributed to council members. The bookmark was designed by one of the library volunteers and Kinko’s donated the printing of them.
3. Tamara Lindsay, 1191 30th Street, Springfield, OR Ms. Lindsay referred to the letter she submitted to council regarding the cat problem in Springfield. There is an overpopulation of animals on our streets, in our neighborhood and in homes. There are ordinances in place to protect our citizens, our animals and the community, but there are no ordinances regarding cats. She discussed the number of cats in her neighborhood outnumbering the residents two to one. This is a problem, but no one takes it seriously. Cat owners are not limited to the number of cats in their home, but dog owners are limited to three. There are no rules saying that cat owners are held responsible for damage to property, but there are for dogs. There are no rules in place saying owners have to clean up after their cats, yet dog owners are required by law to clean up after them. Cats destroy vegetable gardens. Cats are allowed to run free, but there are leash laws for dogs. Cat owners are not required to license cats, but dog owners must license their dogs. She discussed the health issues involved because cat owners are not required to show proof of inoculation. The city needs to make cat owners responsible for the actions of their cats. They need to pay for damage to property or replace the damaged property. Cat owners should be responsible to clean up after their own animals, contain their cats on a leash or keep them in the house. There should be a limit on the number of animals in a home. If the city doesn’t do something, who will.
4. Gary VanDeMeer, 2604 J Street, Springfield, OR. Mr. VanDeMeer discussed the money the Eugene Library earned in a recent book sale and suggested the Springfield Library look for creative ways to secure funding as well. Mr. VanDeMeer said he is confused about council’s decision on the Matricula Consular card. He described other illegal actions that the council would not support. He said this council has moved to help illegals violate our immigration laws. Any foreigner who is legally entering this country can acquire either a VISA or a work permit. The only people who need the identification in the form of the Matricula Consular card are those that are here illegally. He does not understand why staff was directed to find ways to accept this card. He asked how the city could go to the people requesting funding

measures when we are giving money to people violating our laws. He referred to the declaration of war on September 11, 2001. The FBI has testified of the dangers of improperly documented foreigners getting into the United States. He discussed the arrest of those that were a threat to our Homeland Security in areas in Oregon. These people can find their way to Springfield. He said the U.S. House of Representatives has passed legislation and passed it to the Senate rulings that would deny the use of Matricula Consular as identification. He asked council to immediately suspend the city staff's efforts to find ways to utilize these cards until the legality is resolved at the federal level. If council wishes to pursue their use, conduct a public hearing to allow Springfield residents be heard on this matter.

5. Bob Goding, 2150 Laura Street #96, Springfield, OR Mr. Goding performs maintenance for Monta Loma Trailer Park. The park had a contract with Lane County to remove the feral cats. Lane County no longer offers this service. He discussed the rules the trailer park has regarding stray cats in this park. Cats must be tagged to match the owner's trailer number and kept indoors. The cat problems at the park are feral cats. He discussed the problems of the cat population and that a solution needs to be found. It is a problem. Other countries have lost species because of dogs and cats that have gone feral. He does not want that to happen here.

Councilor Ralston said he did not say anything disparaging about the library. He said that if the city went to voters to ask for additional funding, it may be difficult to ask those that do not use the library. He supports the library. Regarding the cat issue, he is glad this was brought back to council. He discussed the cats in his neighborhood and the problems that has caused. It is difficult to keep them in the yard, but there should be regulations on numbers of cats allowed. The biggest problem is those that are not spayed or neutered.

Mr. Leahy said in respect to feral (abandoned) cats, they are animals and there is a city policy regarding abandoned animals. Citizens can trap feral cats, and inform the police department that you have them, hold them for an appropriate amount of time and then take them for disposition to Greenhill if they will take them.

Councilor Ballew said work has been done on this issue in the past. She asked for a report from staff on past efforts on this campaign.

Mr. Kelly said this issue has surfaced several times in the city. Council has directed staff to look into some sort of enforcement, what the law allows or doesn't allow and the costs involved. Alternatives have been brought to council by staff. Each time the council has decided because of state law and case law and costs not to do anything. It could be revisited and state and case law could be reviewed for changes. Staff could summarize the research that has been done and look at what other communities are doing. Staff could contact these communities to discuss the advantages and disadvantages of enforcement. This report could be delivered to council in the next several weeks to allow them time to take it into consideration during this budget season.

Councilor Fitch said she would also like education on citizen's rights regarding capture of cats. Due to budget constraints, the city may not be able to collect the cats. It would be important to let citizens know what they can or cannot do with these cats.

Mr. Kelly said they would look at this further. Citizens do have limited resources and ability to properly dispose of the cats. All of that information would be included in the memo to council.

Mayor Leiken referred to the Matricula Consular card. He said the resolution stated that Mr. Kelly would report back to the city council on whether or not the cards could or should be used for city services. Because the cards have been brought forward as a form of identification, it is up to council to direct the City Manager to see if it is worthwhile to pursue. He noted that every bank and credit union in Lane County accepts the card and many non-profits. The cards have been around for over one hundred years and he is curious why people are just now testifying. He said he was glad the House of Representatives has decided to move forward on this as well as the Senate. Mayor Leiken serves on the State Homeland Security Task Force and noted for the record that eight of the nineteen folks who flew the planes into the World Trade Center and into the Pentagon had valid Virginia drivers' license and identification.

CORRESPONDENCE AND PETITIONS

1. Correspondence from Tamara Lindsey, 1191 30th Street, Springfield, OR Regarding the Growing Cat Problem in Springfie ld.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ACCEPT AND FILE THE CORRESPONDENCE. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments

- a. Historic Commission Appointment and Confirmation.

City Planner Kitti Gale presented the staff report on this item. The Springfield Historic Commission currently has two vacancies on its volunteer Commission. On April 12, 2004, the council interviewed three candidates applying for appointment to the Springfield Historic Commission. The council recommended Tama Tochiara and Karen Glickman for appointment and confirmation at the April 19, 2004 regular session. Tama Tochiara would complete a partial four-year term that will expire September 30, 2007 and Karen Glickman would complete a partial four-year term that will expire March 1, 2006.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPOINT KAREN GLICKMAN TO THE HISTORIC COMMISSION WITH A TERM TO EXPIRE MARCH 1, 2006. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO APPOINT TAMA TOCHIHARA TO THE HISTORIC COMMISSION WITH A TERM TO EXPIRE SEPTEMBER 30, 2007. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

- b. Planning Commission Appointments.

Planning Supervisor Mel Oberst presented the staff report on this item. Council interviewed three candidates during their April 19, 2004 work session for the two vacant positions on the seven member Planning Commission. James Burford's tenure expired March 31, 2004, after

which he served two full terms. William Carpenter's tenure also expired March 31, 2004, but he is able to re-apply for one more term of four years. The appointments for these positions would begin immediately upon council ratification and bring the Planning Commission roster to the full seven members.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO RE-APPOINT WILLIAM CARPENTER AND APPOINT FRANK B. CROSS TO THE PLANNING COMMISSION FOR A FOUR-YEAR TERM BEGINNING MAY 4, 2004 AND EXPIRING MAY 4, 2008. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

Councilor Fitch wanted to thank Steven Acton, the third applicant, and recommend he reapply when an opening occurs on one of our boards in the future.

2. Business from Council

a. Committee Reports

1. Mayor Leiken said that he and Councilor Ballew attended the MPC meeting and the Citizen Advisory Committee was based on the Springfield recommendation with a unanimous vote. He said it was a good move. Originally it was stated that citizens would be involved in the technical aspect of the process and he did not feel that was the best place for citizens in an advisory committee. He thanked Councilor Ballew and Councilor Fitch for their part.

The I-5 Beltline Interchange was forwarded as a top priority. Congressman DeFazio sponsored another \$15M for the flyover and the first phase is nearly funded in full. He thanked the staff who have worked on this as well as Councilor Lundberg and past Councilor Beyer.

Mayor Leiken said he met with the new Oregon State University (OSU) President. Mayor Leiken sent a note to him to let him know the city would continue to work with Oregon State in the future. OSU has a great research facility. He thanked the alumni association for both universities and especially University of Oregon President Frohnmayer for this event.

Mayor Leiken asked if council would write letters to members of Congress regarding the rise of gas prices. Discussion was held on the best approach to this issue. It was determined that each councilor would write their own individual letter personally.

Councilor Ralston asked if construction of the I-5 Beltline Interchange would begin once the full amount for Phase I is funded.

Mr. Arnis said Oregon Department of Transportation (ODOT) submitted a request to advance design for Phase I, which is the flyover. He also received additional numbers from ODOT for Phase I which means the city could proceed with requests for money for Phase II, which is the right-of-way purchase of Gateway/Beltline.

Councilor Ballew referred to an article about Congress working on a transportation bill. She asked if this was moving forward and would be adequate.

Mr. Arnis said staff receives updates from our lobbyist.

BUSINESS FROM THE CITY MANAGER

1. Lane County Jail Contract.

Finance Director Bob Duey presented the staff report on this item. The current agreement runs from July 1, 2003, through June 30, 2005. The agreement provided for the county and city to meet in January 2004, to update the second year contract expenses.

Amendment must be signed to continue the confinement of City of Springfield prisoners in the Lane County Adult Correction Facility.

First year contract costs provided for five beds at a rate of:
\$86.00 per bed per day (\$156,950.00 first year cost).

Proposed cost adjustment for five beds at a rate of:
\$90.33 per bed per day (\$164,852.25 second year cost)

Daily rate includes: Jail security (personnel), Materials and Services (jail security programs only), and day cost centers for corrections administration, population management, medical, laundry, facility maintenance and food service).

Sufficient funding is proposed for the FY05 budget to cover the contract cost increases.

Mr. Duey said the judges use the five beds as a way to allow the municipal court to have some influence on the matrixing of people out of the jails. The three common ways these beds are used include: 1) to hold someone long enough for the arraignment; 2) if an arrest warrant is issued, the jail bed could be used to hold them until they could be brought before the court; or 3) used as part of the offender's sentence. Unfortunately, five beds do not adequately serve the Municipal Court. Mr. Duey has talked with Judge Strickland about this issue and formulated several scenarios that Judge Strickland would be talking to council about during the Judges' Evaluation process later in June.

Mr. Kelly said staff checked with Judge Strickland to let him know this action was coming to council this evening in case he wanted to wait and not renew this contract. Judge Strickland had no problem with council renewing this contract. Judge Strickland understands there have been discussions for budget reasons regarding eliminating jail beds and he may wish to discuss that during the Judges' Evaluation. Staff may move the June discussion up to May to allow council to meet with the Judges regarding this topic prior to the council adopting the budget.

Councilor Fitch said as chairman of the Judiciary Committee and knowing Springfield citizens pay county taxes and the county is responsible for housing our criminals, it is frustrating to have to pay for priority beds. She discussed the matrixing process. She asked if the city was housing those who are doing less offensive crimes in the five priority beds than those who are being matrixed out. She asked if citizens are double-paying for the jail. She asked if we are keeping offenders in longer for minor crimes than those getting matrixed out. If Lane County is the

governmental agency who should be providing for housing of criminals, what are they doing? This is a bigger discussion. She understood council would be meeting with the Lane County Sheriff and District Attorney in May and she would like to discuss this with them at that time.

Councilor Ralston asked when the rates were last raised.

Mr. Duey said they were raised a year ago. It is an annual raise.

Councilor Ralston asked what the county would do if the city said they would not pay the increased costs.

Mr. Kelly said we could hold on this if council would prefer. The only reason the city is paying extra is because of the priority hold. Without priority hold, the city would not have to pay extra and our violators would be matrixed out like the others in the county. The priority hold beds give the judges the ability to have sanctions so there is a consequence.

Mayor Leiken said during the May 10 work session Lane County Sheriff Clements and District Attorney Harclerod would most likely explain to council where they are from a budgetary standpoint. He discussed the number of jail beds the Lane County Jail is considering to close. It would not hurt Springfield to delay this vote. It would be prudent to hear what the sheriff and district attorney have to say at this meeting. It is frustrating after working hard to get the voters to approve the police officers to make more arrests, not to have a way to prosecute or house the offenders. He is open to what council would like to do, but he feels it is important to hear what Sheriff Clements and Mr. Harclerod have to say.

Mr. Kelly said staff would move the Judges' Evaluation up to a date in May to give council a chance to hear their argument on this issue prior to the Budget adoption.

Councilor Ballew would like to see what the figures per bed are based on.

Mr. Duey said he could get that information to council.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO TABLE THE JAIL BED CONTRACT. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

2. Approval of Street Light Standards Deviation Resolution.

RESOLUTION NO. 04-14 – A RESOLUTION AUTHORIZING A DEPARTURE FROM SECTION 501.2.13 OF THE CITY STANDARD CONSTRUCTION SPECIFICATIONS AND SECTION 5.02.1.B OF THE CITY ENGINEERING AND PROCEDURES MANUAL REGARDING REQUIREMENTS FOR STREET LIGHTING FOR RIVERBEND DEVELOPMENT, MOUNTAINGATE DEVELOPMENT, DOWNTOWN DEVELOPMENT DISTRICT, JASPER ROAD EXTENSION AND MARTIN LUTHER KING, JR. PARKWAY.

Traffic Engineer Brian Barnett presented the staff report on this item. Current city code and standards require the use of Low Pressure Sodium (LPS) street lights or decorative High Pressure Sodium (HPS) street lights in certain locations. Developers of RiverBend, and MountainGate developments, and representatives from the Downtown Springfield Association submitted

independent requests to use Metal Halide (MH) decorative and roadway style lighting systems in lieu of LPS and HPS.

Transition to MH and HPS lighting would improve human visual performance. This is important for traffic safety and pedestrian security. MH lighting would also improve the appearance of landscaping and building facades. Discontinuing installation of new LPS lighting would diversify the lighting systems and reduce the risk of relying on a declining lighting technology. Use of MH and HPS lighting will decrease initial costs and would not substantially increase energy and maintenance cost to the city. Staff requests approval to modify the relevant codes and standards for use in all new construction throughout the City of Springfield. Existing lighting would be replaced as the existing fixtures fail.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR BALLEW TO ADOPT RESOLUTION NO. 04-14. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST.

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder